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FILED
HARRISBURG

JAN 29 2001

MARY E. D'ANDREA, C
Per 978
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRIAN DOUGLAS,

Plaintiff,

v.

MARTIN F. HORN, et al.,

Defendants

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Civil Action No. 1:CV-00-0982

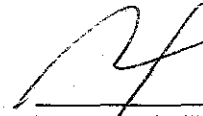
(Judge Rambo)

COMMONWEALTH DEFENDANTS'
MOTION TO DISMISS PLAINTIFF'S COMPLAINT

Commonwealth Defendants, Martin F. Horn, et al., by and through their attorney, Raymond W. Dorian, Assistant Counsel for the Pennsylvania Department of Corrections, hereby move this Court, pursuant to Fed.R.Civ.P. 12(b)(6), to dismiss the Plaintiff's Complaint against them for failure to state a claim upon which relief may be granted and for such other grounds as set forth in their supporting brief.

WHEREFORE, the Commonwealth Defendants respectfully request that the Plaintiff's Complaint be dismissed with prejudice.

Respectfully submitted,



Raymond W. Dorian
Assistant Counsel
Attorney I.D. No. 48148

PA Department of Corrections
Office of Chief Counsel
55 Utley Drive
Camp Hill, PA 17011
(717) 731-0444

Dated: January 29, 2001

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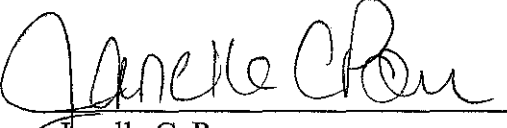
CERTIFICATE OF SERVICE

I hereby certify that I am this day depositing in the U.S. mail a true and correct copy of the foregoing Commonwealth Defendants' Motion to Dismiss Plaintiff's Complaint upon the person(s) and in the manner indicated below.

Service by first-class mail
addressed as follows:

Brian Douglas, DP-1285
SCI-Camp Hill
P.O. Box 200
Camp Hill, PA 17001-0200

James D. Young, Esquire
Lavery, Faherty, Young & Patterson, P.C.
301 Market Street
Harrisburg, PA 17108-1245


Janelle C. Porr
Clerk Typist 2

PA Department of Corrections
Office of Chief Counsel
55 Utley Drive
Camp Hill, PA 17011
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Dated: January 29, 2001